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## THE PRESIDENCY

No. 18

9 January 2009

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

**No. 50 of 2008: General and Further Education and Training Quality Assurance Amendment Act, 2008.**



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Act No. 50, 2008 GENERAL AND FURTHER EDUCATION AND TRAINING  
QUALITY ASSURANCE AMENDMENT ACT, 2008

**GENERAL EXPLANATORY NOTE:**

- [                    ] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

*(English text signed by the President.)  
(Assented to 23 December 2008.)*

# ACT

To amend the General and Further Education and Training Quality Assurance Act, 2001, so as to make it consistent with the National Qualifications Framework Act, 2008; and to provide for matters connected therewith.

**B**E IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

**Deletion of Preamble of Act 58 of 2001**

1. The Preamble to the General and Further Education and Training Quality Assurance Act, 2001 (hereinafter referred to as the principal Act), is hereby deleted. 5

**Amendment of section 1 of Act 58 of 2001, as amended by section 8 of Act 1 of 2004**

2. Section 1 of the principal Act is hereby amended—

- (a) by the substitution for the definition of “**accreditation**” of the following definition: 10  
“**‘accreditation’** means [the certification of a person, a body or an institution as having the capacity to fulfill a particular function in the quality assurance system set up by the South African Qualifications Authority in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)] accreditation by the Council in terms of this Act;” 15
- (b) by the substitution for the definition of “**assessment body**” of the following definition: 20  
“**‘assessment body’** means a department of education or [any other body registered with] a body accredited by the Council as a body responsible for conducting external assessment;” 20
- (c) by the substitution for the definition of “**certificate**” of the following definition: 25  
“**‘certificate’** means a certificate contemplated in section [16(4)(e)] 17A(6);” 25
- (d) by the deletion of the definition of “**Education and Training Quality Assurance Body**”:

Act No. 50, 2008 GENERAL AND FURTHER EDUCATION AND TRAINING  
QUALITY ASSURANCE AMENDMENT ACT, 2008

- (e) by the insertion before the definition of “**employee**” of the following definition:  
“**‘education institution’** means an education institution contemplated in section 2;”;
- (f) by the substitution for the definition of “**further education and training**” of the following definition:  
“**‘further education and training’** means all learning and training programmes leading to qualifications [from] on levels [2 to 4] 2, 3 and 4 of the National Qualifications Framework[, which levels are above general education and training but below higher education];”;
- (g) by the substitution for the definition of “**general education and training**” of the following definition:  
“**‘general education and training’** means all learning and training programmes leading to a qualification on level 1 of the National Qualifications Framework[, which level is below further education and training];”;
- (h) by the substitution for the definition of “**internal assessment**” of the following definition:  
“**‘internal assessment’** means any assessment conducted by [the provider] an education institution contemplated in section 2, the outcomes of which count towards the achievement of a qualification;”;
- (i) by the substitution for the definition of “**National Qualifications Framework**” of the following definition:  
“**‘National Qualifications Framework’** means the National Qualifications Framework contemplated in the [South African Qualifications Authority Act, 1995 (Act 58 of 1995)] National Qualifications Framework Act;”;
- (j) by the insertion after the definition of “**National Qualifications Framework**” of the following definitions:  
“**‘National Qualifications Framework Act’** means the National Qualifications Framework Act, 2008;  
**‘part qualification’** means an assessed unit of learning that is registered on the National Qualifications Framework as part of a qualification;  
**‘private education institution’** means an education institution which, in terms of a law referred to in section 2, is an independent school, a private college or a private centre;”;
- (k) by the deletion of the definition of “**provider**”;
- (l) by the substitution for the definition of “**qualification**” of the following definition:  
“**‘qualification’** means [the formal recognition of the achievement of the required number and range of credits and such other requirements at specific levels of the National Qualifications Framework as may be determined by the relevant bodies registered for such purpose] a qualification registered by the South African Qualifications Authority;”;
- (m) by the insertion after the definition of “**raw marks**” of the following definitions:  
“**‘registrar’** means the registrar of private colleges referred to in section 27 of the Further Education and Training Colleges Act, 2006 (Act No. 16 of 2006);  
**‘SAQA’** means the South African Qualifications Authority;
- (n) by the substitution for the definition of “**South African Qualifications Authority**” of the following definition:  
“**‘South African Qualifications Authority’** means the South African Qualifications Authority established by [section 3 of the South African Qualifications Authority Act, 1995 (Act 58 of 1995)] the National Qualifications Framework Act;” and
- (o) by the deletion of the definition of “**standard**”.